

# BOROUGH OF DELAWARE WATER GAP MONTHLY COUNCIL MEETING

June 6, 2011

The regular monthly meeting of the Borough Council of Delaware Water Gap was held in the Francis (Casey) Drake municipal building on Monday, June 6, 2011.

Council members present: President Wayne MacWilliams, Vice President Bill Buzzard, Elvi DeLotto, Jack Shoemaker, Philip Farber, Susan Wilson and George Munn. Also present Solicitor David Williamson and Engineer David Jones.

## Key of Terms:

President Wayne MacWilliams – WMW  
Vice President Bill Buzzard – BB  
Jack Shoemaker – JS  
Susan Wilson – SW  
Elvi DeLotto – ED

Philip Farber – PF  
George Munn – GM  
Mayor Walt Conway – WC  
Solicitor David Williamson – DW  
Engineer Boucher & James – B&J

Borough Secretary/ Treasurer Johanna Moreo - JM  
Superintendent Bob Gallagher - BG  
Delaware Water Gap - DWG  
Zoning Officer Larry Freshcorn - LF

President Wayne MacWilliams called the meeting to order at 7:30 pm with the pledge of allegiance. **Bill Buzzard made a motion to approve the treasurer's report, & pay the bills seconded by George Munn. All in favor. George Munn made a motion to approve the minutes, Jack Shoemaker seconded it. All in favor.**

## Superintendent's Report – refer to Superintendent's report for further details.

Bob Gallagher wondered if he should put up new signs for Foxtown Hill Road because he took down the Gap Road signs because of the new 911 addressing. He also needs 10-11 news signs to update the faded ones around town, they will cost \$18-22/sign. **Jack Shoemaker made a motion to purchase new signs, Elvi DeLotto seconded it. All in favor.**

## Engineer's Report – refer to Engineer's report for further details.

- Broad Street/ LR Costanzo – Based on the agreement 1 year ago they were to replace 6 ramps, which they have done. The new \$5,200.0 change order they have submitted is to repair the section between the Pack Shack parking lot & Laird. These repairs were not on PennDOT's original punch list, which is not LR Costanzo's responsibility. DJ spoke to Bob to see if he could repair the section for ~\$600.-700. which is far less than any contractor could do it for. DJ requested authorization for BG to repair the 2 driveway aprons, and have the drainage issues resolved as PennDOT promised. JS recommended meeting with PennDOT to inspect & let them know that the Boro will take care of the 2 driveways but will they take care of drainage? DJ also recommended finishing the paperwork with LR & DRJTBC, of which LR is owed \$10-11K. **Bill Buzzard made a motion to front the money for LR Costanzo to clean that up & hopefully get paid from DRJTBC. Jack Shoemaker seconded it. All in favor.**
- Fairway Drainage Improvements – Wayne will speak to David after meeting about this.
- Well Grant – Preparing application for new \$200K treatment system grant, need approval/ signature for July 1<sup>st</sup> grant application deadline. **Elvi DeLotto made a motion to approve, George Munn seconded it. All in favor.**
- Women's Resources – nothing new.
- Open Space Grant – bid specs sent to DRJTBC for approval, done by Smithfield Twp.
- Adam's Outdoor – defer to Larry.
- Main Street grant application – have not heard anything, yet.
- Strategic Planning – meeting next Monday training session. DW may not attend because of son's game.

## Mayor's Report - Mayor not in attendance.

## Zoning Update - refer to Zoning Officer's report for further details.

1. Castle Inn – inspected streetlights, they are installed & on a timer.
2. Adam's Outdoor – met with General Mgr last week, sent him the plans from the engineer, should see something within a week.
3. Laird – remediation does not need a permit, also contacted by an interested party to purchase the property. He spoke to the Real Estate Agent; apparently they are under the impression that Council will be changing the zoning in that area to accommodate Maula. LF recommended sending a letter

to Laird telling them that at this point Council is not interested in changing the zoning from Industrial. **Elvi DeLotto made a motion to send a letter to Laird, Susan Wilson seconded it. All in favor.**

4. Joiner Lot- Currently the Boro does not have a procedure in place to address this; LF thinks it would be a good idea to adopt one. DW stated that there are advantages to join together buildable smaller properties to a larger property & having 1 tax bill. What lose in taxes may gain a nicer developed property. 2 ways to do it: Present reverse subdivision, done by surveyor to show the 2 properties together, make sure they own the property & a certification that the taxes are current. Or proper language joiners deed – used by few municipalities. WMW wondered if there are any restrictions to join 2 properties to create a non-conforming property. DW stated that it will still remain, not going to change anything if already not conforming. Boro of East Stroudsburg has a check list, which Johanna will get a copy. LF will tell the applicant to wait until July.
5. Complaints – Fire Dept. burning on property & loads of fill is being brought up to level parking lot, Vertellus is concerned. LF will speak to Brad after the meeting.

### **Old Business**

#### **DWG Fire Department.**

Chief Brad handed out copies of the treasurer's report from 2010 & up to April 2011, also Profit & Loss statements & bank statements. JS requested an update on the doors, Brad stated that on the 20<sup>th</sup> they will be installed it will take 5 days. Matos gave a storage box truck until the driveway is finished. The trucks are up to date; the Fire House needs air & heat about to try for a Federal Grant. Also working with LTS to see if they will donate property for new location of the Fire House, will know in a couple of months. Martz has offered to buy the FD property; the only conflict is the Vertellus drive-thru. They drive through the FD property to fill chemicals. DW stated that something should be formalized with Vertellus before they sell the property. Brad had wondered if they could have Bob's help to finish leveling out the driveway. On Friday they received 20 loads of millings; Smithfield is grading & rolling it. He is hoping to have some of it done by Thursday for a meeting. It was decided that after the meeting - BG, JS, LF & DJ will go up there to take a look at it.

#### **Allied Painting Lease Agreement.**

Bill, Wayne & members of the RR Station Group met with Bob Munn from Allied & made a list of items for them to address: a lease with Allied, fix the end of the building – Randy sent a new invoice, pole that was pushed over – of which he would not take responsibility for – Marty said it would cost \$3,500 to fix, install a construction fence to keep them from hitting the building again, & \$150. /month rent. As soon as they provide a check to fix the building, check to replace the structure pole, install fence & a maybe bond then the Boro will go ahead with the lease. DW stated that he will add the RR Station as a party to the lease, make it a dual lease where the RR Station will sign off on it. BB stated that he believes that they gave them a low rent in the best interest of DRJTBC because they have been generous to the Boro in the past. The liability insurance on the Station – waiting on appraisal of the building from the RR Station Group – JM sent a reminder email to Carol, could possibly get Dreher to do it.

### **New Business**

#### **MA requesting shut-off.**

**George Munn made a motion to shut off water, Susan Wilson seconded it. All in favor.**

DW stated that he began putting liens on properties, the Schmidt/Roulston property went into Sherriff sale cannot put a lien on that one, can send the bill to the lender, if the lender doesn't pay keep bill running until sold if 9 months from now not sold then lien.

### **Committee Reports**

George Munn – DCED approval for engineering expenses, like to apply for \$200K additional grant. ED, JS, SW, PF & BB – nothing to report.

### **Questions and Concerns of Citizens**

Anthony wondered if the channel across the road (on Rt. 80) if someone spoke to the DRJTBC to fix it? PF stated that the Toll Bridge will be black topping it up to the Boro property, that is a state road, they will be coming all the way up hopefully that will fix it.

Randy Snow requested permission to close Waring Drive & Delaware Avenue; they will be putting cars around Castle Inn. He will talk to Brian Hill, just need permission. **Bill Buzzard move to grant permission, Jack Shoemaker seconded it. All in favor.**

**Bill Buzzard made a motion to adjourn to Executive Session at 8:35 pm to discuss legal matters. Jack Shoemaker seconded it. All in favor.**

**Philip Farber made a motion to end Executive Session at 8:55 pm, Susan Wilson seconded it. All in favor.**

**Susan Wilson made a motion to file liens ASAP, Jack Shoemaker seconded it. All in favor.**

**Elvi DeLotto made a motion to adjourn at 8:56 pm, Jack Shoemaker seconded it. All in favor.**

**Respectfully Submitted,**

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**Johanna Moreo, Secretary/ Treasurer**